THOUGHTS

ON

GOVERNMENT,

&c., &c.

THOUGHTS
ON
GOVERNMENT:

OCCASIONED BY

MR. BURKE's REFLECTIONS, &c.

IN A

LETTER TO A FRIEND.

TO WHICH IS ADDED A

POSTSCRIPT,

IN REPLY TO A VINDICATION OF

MR. BURKE's REFLECTIONS.

BY GEORGE ROUS, ESQ.

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ADVERTISEMENT.

THE author of the following tract has long been in the habit of examining his own thoughts on paper, upon all the queſtions of conſtitutional law and government which have occurred within his own time; and not unfrequently has committed theſe thoughts to the judgment of the public. To theſe publications he has never affixed his name, becauſe doing this might ſeem to intimate an opinion, either that his name carried weight and authority, which he has not the vanity to think, or that theſe tracts were of a ſort from which he could advance any little reputation he may enjoy. At the ſame time the author has never wiſhed to conceal his name, becauſe he never wrote what had not the ſincere conviction of his own mind, and was ever willing to be reſponſible

ſponſible in character for the general tendency of his writings. The reſpect he entertains for Mr. Burke, made him wiſh to examine the principles of government advanced in that gentleman's late celebrated publication, in a work of better arrangement and greater extent; but he knows the habits of his own mind too well not to ſuſpect, that indolence and profeſſional avocations may delay the completion of ſuch a work until the occaſion be paſt. He has, therefore, in this as in other inſtances, ſubmitted his firſt thoughts to the judgment of the public.

The publications on this ſubject are become ſo numerous, that this Second Edition has the name of the Author, unwilling to have errors not his own imputed to him.

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LETTER,

&c. &c.

DEAR SIR,

YOUR political connections will, doubtleſs, for the moſt part, decide on your public conduct: nor is it my wiſh to damp the ardor of your purſuit. A party formed under the mild virtues and inflexible integrity of the late Marquis of Rockingham, approved by the diſcriminating head and benevolent heart of the late Sir George Saville, and conducted by the direct, open, and manly underſtanding of Mr. Fox, ought to command your warmeſt attachment. Whatever temporary deviations an unmerited proſcription through a long reign may have provoked, their public principles will render them the firmeſt ſupport of the Throne, and of the Britiſh Conſtitution, ſhould the ferment which an accumulation of heavy burdens on the People has excited in France, extend its influence to this iſland. You will,

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therefore, do well to make a common cauſe with them. To us mere theoriſts it belongs to follow the principles we eſtabliſh into all their conſequences.

Your friendly raillery was directed againſt the advocate for prerogative in 1784, yet you conſeſſed my defence was bottomed on reaſoning not inimical to the rights of the People. The ſame principles led me to concur with you in reprobating the frantic partition of Royal authority attempted in the intended Regency, becauſe we thought the *ſame powers* proportioned to the *ſame end*, were at all times equally neceſſary—*a truſt* in the individual created for the *ſole benefit* of the People. Whatever language the prudence of your political friends may dictate, we ſhall both probably again concur in thinking that the ſentiments conveyed in the late celebrated publication of Mr. Burke are neither more nor leſs than the exploded doctrine of the old ſchool revived in a new dreſs, calculated equally to ſupport *bad* as *good* Government, under all its forms, from the mad deſpotiſm of Aſia to the mild adminiſtration of laws

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in Great Britain — in ſhort, the offspring of ſuperſtition confounding all human reaſon — which commits the deareſt intereſts of ſociety to the diſpoſal of chance, by building thoſe inſtitutions which determine the happineſs or oppreſſion of mankind on the fleeting prejudices of an uninformed, not on the conviction of an enlightened, People.

It is of little importance to the People of this country whether a Club, called The Revolution Society, in addreſſing the National Aſſembly of France, have treſpaſſed on that temperate, decorous line of conduct which Mr. Burke, both by precept and example, profeſſes to teach. Of as little importance is it to us whether a libel on a whole nation, wrought up with all the enthuſiaſm of a glowing imagination, be the mere creature of imagination, or an exaggerated picture of the evils attendant on all great revolutions. As a man, I rejoice that the fetters of deſpotiſm are broken—and, viewing the formation of a new government as the nobleſt ſcene in which the virtues and talents of men can

act, I feel a ſtrong intereſt in the ſucceſs of their exertions, and look forward with ſome anxiety to the effect of thoſe new eſtabliſhments, which certainly do not come recommended by the experience of other nations in ancient or in modern times. Nor is my general humanity very deeply wounded if ſome individuals inevitably ſuffer in the ſtruggles of a great nation, by which twenty-five millions of people hope, at leaſt, to emerge to freedom, and by which a reſtleſs, intriguing, perfidious power, oppreſſive to its ſubjects, and deſtructive to the peace of its neighbours, has certainly been deſtroyed.

I can ſmile in private at the extreme ſenſibility of thoſe worthy politicians who calmly contemplate the armies of deſpotic princes waſting whole countries, and deſtroying each other to cure the liſtleſs languor of a ſovereign, or gratify the caprice of a ſtrumpet, as events in the ordinary train of God's good providence, yet are petrified with horror at the irregular juſtice of a mob. Were not falſe terrors induſtriouſly raiſed to repreſs all ardor for that

firſt of human bleſſings, public liberty;—Were not principles advanced deſtructive, in my judgment, of all freedom;—Were not conſequences drawn from the diſorders of a neighbouring State, and applications made to the Government of this country, the direct reverſe of thoſe which ſound reaſoning and juſt policy, in my judgment, warrant;—I am not Quixote enough to have engaged in the controverſy—I ſhould not even venture to aſk the author of a political rhapſody the moral inference from any one deſcription in his book. When he expreſſes his expectation and hope that ten thouſand ſwords would have leaped from their ſcabbards to avenge a look which threatened with inſult a Queen of France, not famed for *all* the virtues which, in times of chivalry, inflamed the imagination of a true knight—I would not even inquire what is due to our own Monarch, exemplary in all the duties of private life, and though ſometimes ill adviſed in the means, ſincerely, I believe, wiſhing to promote the happineſs of his ſubjects. The moral of the fable is plain. If, in this new ſcale of political duty, the ado-

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ation of princes muſt riſe in juſt proportion to their virtues, we ought to approach the ſacred preſence of our Sovereign crawling on the earth, and humbly ſolicit the honour of being trodden into duſt.

I, who am a plain man, feel my mind bewildered by theſe flights, am obliged to ſeek conviction by deductions of reaſon, illuſtrating theory by a reference to hiſtorical facts — If I deſert this beaten road I am loſt: and to thoſe ſober underſtandings who, with me, are willing to ſeek for truth, at the hazard of being reproached with cold hearts, my arguments are addreſſed.—Whether the good ſenſe of the Public will do juſtice to the motives of which I am conſcious, is more their concern than mine—I think I am endeavouring to promote the public happineſs — I have no poſſible inducement to wiſh confuſion.

In contemplating the great ſcene now diſplayed in France, which engages the attention of all Europe, the firſt reflection it ſuggeſts is, that the experience of the ancient

ancient world affords no analogies from which we may venture to conjecture the probable event. We cannot reaſon from the ancient republics either on the perfection to which the ſame forms of government may now be carried, or the extent of territory theſe may permanently embrace. The art of printing alone has wrought a total change in the condition of mankind. In modern times, where the liberty of the preſs prevails, the true principles of government are inveſtigated in the abſtract, and conſequently without paſſion. Every queſtion of public intereſt, whether it regards the diſtribution of political power among the ſeveral orders of the State, or the actual exerciſe of thoſe powers, is again and again diſcuſſed. The thinking part of the community weigh the arguments in their cloſet. The general aſſent of cultivated minds gradually commands the concurrence of the multitude, and the public mind, after ſome vibrations, commonly ſettles on the ſolid foundation of acknowledged truth. But, above all, the modern improvement of repreſentation has given order to democracy,

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diveſted it of all its terrors, and enabled it to debate every queſtion of public intereſt with all the wiſdom, and knowledge, and ability, of every ſpecies, which the nation can boaſt, without that perverſion of mind which muſt invariably pervade the deliberations of an Aſſembly actuated by intereſts diſtinct from thoſe of the great body of the People. Had France enjoyed ſuch a well-regulated democracy, balanced by a ſeparate order of Nobles, who, if they have not ſtrength ultimately to reſiſt, may yet interpoſe their negative, and compel the Commons again and again to deliberate. Had the permanency of their Conſtitution been yet farther ſecured by an hereditary Monarch, poſſeſſing *excluſively* the whole executive power of the State, and enabled to appeal to the People even againſt their repreſentatives on any projected innovation in their Government; raſh indeed would have been the nation, who under thoſe circumſtances had committed their deareſt intereſts to the hazard of a change.

Far different indeed was the ſtate of France. The attainment of ſuch a Government was abſolutely impoſſible. They had a deſpotic Monarch ſupported by a mercenary army—by a numerous body of Nobility, the political Janiſaries of the Crown, who preſcriptively held all military command—who were favoured as a diſtinct race with peculiar immunities by law, and yet greater privileges by the habitual ſuperiority they aſſumed; whoſe pride was pampered, and whoſe indolence was fed with the ſpoils of the People; who, beſides engroſſing all the military, and moſt of the civil appointments under the Crown, divided annually one million and a half ſterling of the public money under the denomination of Penſions. The other pillar of deſpotiſm was the Church. This eſtabliſhment in France, originally framed to ſupport the dominion of a foreign Pontif, had tranſferred its obedience to the Monarch, retaining the ſpirit of its inſtitution. This body, thus conſtituted, were not only bound to the throne by the intereſt of the order, but by the yet more prevailing intereſt of individuals, who looking up to the

Monarch for preferment, endeavoured to merit his grace and favour by ſedulouſly promoting the views of the Court. The Clergy moreover were linked and blended with the Nobility, whoſe younger ſons held the richeſt benefices—and this maſs of power was conſolidated by a landed revenue, exceeding five millions ſterling of annual rent.

Who that viewed this ſyſtem of power could believe that its overthrow approached? The devouring claims of the ſubordinate inſtruments of a deſpotic Power exhauſted the treaſury of the Monarch. With a payment of eight millions to the Public Creditors, and twenty-three millions of annual revenue, an increaſing arrear compelled the King to convene a repreſentation of the People.—And the defection of the common ſoldiers left the whole power of the State in their hands. To aboliſh the deſpotiſm of the Crown is admitted to be wiſe and juſt.—To prevent the reſtoration of this power became a neceſſary duty. Mr. Burke thinks this might have been effected, preſerving the Nobility and the Church, becauſe in the moment of their own humili-

ation,

ation, and of the popular fervor, the inſtructions of theſe two bodies to their deputies breathed the language of moderation, and did not openly claim thoſe exemptions which had been one great cauſe of the general odium to which they were expoſed. Are we to look for the ſpirit and temper of particular orders in public oſtenſible inſtruments, formed under ſuch circumſtances, or in their permanent intereſts and the habits of their lives? Would not theſe men feel themſelves degraded by the equality claimed by every ſubject in the State? Muſt not many laws, galling and irritating to theſe two orders, have paſſed, before the ſemblance of freedom could have cheered the great body of the people? Their old habits muſt have recurred, inflamed with all the rancorous paſſions which contention engenders. A ſecond revolt of the ſoldiery might have delivered the Aſſertors of public freedom into the hands of enraged adverſaries, and if Mr. Burke, a byeſtander, a mere amateur of ariſtocracy, can ſo liberally devote the National Aſſembly to a gaol, is it wonderful that theſe two orders ſhould be ſacri-

ficed by that Aſſemby to their own ſafety, and to that of the People they repreſent?

The Aſſembly firſt arm the People, that whatever a common intereſt inſpires they may be enabled to defend, and thus give a moſt convincing proof of their own ſincerity. They then proceed to declare the eſtates of the Church public property. If this meaſure affected only the ſucceſſion to Church benefices, not the preſent poſſeſſors, as an abſtract propoſition it were difficult to diſpute its truth, or to aſſign a rational diſtinction between the juſt ſupport of the miniſters of Religion and of any other ſervants of the Public. At leaſt we muſt re-adopt the *prejudices* of dark ages, to *feel* that divine right which ſhall ſhut the hallowed ſanctuary of the temple, and forbid profane eyes from prying into the titles of the Prieſthood. Good government and the happineſs of mankind are doubtleſs in the will of Divine Benevolence; but the means of obtaining theſe bleſſings the God of Nature has not revealed.—The inveſtigation of theſe, and of every other intereſt of human kind, is left to the light of human reaſon;

reaſon; becauſe this purſuit is fitted to employ and to improve the beſt talents of the head, and the beſt affections of the heart. Had our Clergy preached the goſpel of peace with ſo little effect, that we were become, what Mr. Burke deſcribes the French, a nation of Atheiſts—To ſuch a Clergy I ſhould ſay, in the language of their Maſter, The tree is known by its fruit. Every tree that bringeth not forth good fruit ſhall be hewn down and caſt into the fire. Ye have not diſcharged your duty, and are not entitled to your reward. The ſimple fact however is, Mr. Burke is angry. An Atheiſt is an animal at leaſt as uncommon as a Monſter with two heads. Without being prepared to go the whole length of Mr. Burke's defence of Monaſtic inſtitutions, whoſe direct object ſeems to be the extinction of all ſocial affections, I yet feel the wound which a diſappointment of juſt expectations will inflict on the individual.—The National Aſſembly will however probably tell us they have provided for the decent miniſtration of religious rights, that they have increaſed the proviſion for the uſeful efficient members of the Church—and that

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the reduction of the other parts of their eſtabliſhment was not a work of choice, but of neceſſity. That they were as a body of irreclaimable enemies to a free Government, and that Mr. Burke's conſecration of the State by a myſtical union with the Church, is a phantom which they cannot admit. "That Politics and the Pulpit are terms "that have little agreement. No ſound "ought to be heard in the Church but the "healing voice of Chriſtian Charity. The "cauſe of Civil Liberty and Civil Go-"vernment gains as little as that of Reli-"gion by this confuſion of duties. Thoſe "who quit their proper character to aſ-"ſume what does not belong to them, "are for the greater part ignorant both of "the character they leave and of the charac-"ter they aſſume"—In ſhort, that prieſts are bad politicians, and that they mean to deliver their Country from this great evil in future.—Poſſibly they may bid us look at home; and though one part of the Kingdom, where Religion "lifts her mitred front in palaces," be not deficient in morals, yet is it rivalled by another, where the Prieſthood have long been confined to the humbler

humbler taſk of preaching the Goſpel of God to the People.

The treatment of the Nobility is another ſubject of pathetic lamentation. Their feudal rights, as far as theſe were the exerciſe of uſeleſs, unprofitable power, have been aboliſhed. Where theſe partook of the nature of property they have been laid open to a compulſory ſale. But the act which is to debaſe and degrade the human mind, to extinguiſh every generous ſentiment, and bury all knowledge and learning in the chaos of eternal night, is the abolition of thoſe names by which the memory of invidious diſtinction was upheld, that the poſterity of the nobles may be tempted to forget thoſe claims of ſuperiority which it is their duty as citizens to relinquiſh, and that the public mind may be led by habit as well as reaſon to acknowledge only the dominion of laws.

Mr. Burke will not allow to the National Aſſembly the common faculties of men; and in his zeal to caſt out theſe reprobates to the ſcorn of mankind, he forgets

gets that the mode of their election was preſcribed by his friends the Notables. Indiſcriminate cenſure is commonly as little merited as indiſcriminate praiſe. I am not their panegyriſt, nor diſpoſed to pronounce on their conduct; for I ſee not all its bearings and dependencies; and the extent, as well as complicated nature, of the ſubject, might baffle the judgment of a much abler head. It cannot, however, eſcape obſervation, that the prognoſtics of their enemies have not yet been verified by any one event. In the midſt of chaos, as it were, regenerating every order of the State, they have fitted out, with vigor and diſpatch, a ſtrong naval armament; and although a miſapplication of the principles of civil liberty for a time diſturbed the diſcipline of their fleet, yet this diſcipline, according to the report of an ariſtocrat in command, has been completely reſtored, not by the laſh of ſeverity, but by a zeal and ardor in the cauſe of their country.—They have alſo erected for internal defence a force, from numbers irreſiſtible, in the hands of the ſubject, which proves at leaſt their confidence in the attachment of the

the people. Mr. Burke thinks there muſt be blood *.—I will not ſay, Edmund, thy wiſh is father to that thought! Perhaps my earneſt wiſhes may be an ingredient in the judgment I form. I ſee the ſtrong holds of deſpotiſm deſtroyed—I have confidence in the powerful operation of that principle which pervades all France—a ſenſe of common intereſt. As a theoriſt, I acknowledge their defects, particularly that the executive is too much blended with the legiſlative authority. But my theory is ſilenced by the experience of other States. The Governments in Switzerland are many of the worſt forms, an ariſtocracy approaching to oligarchy; yet the people knowing the uſe of arms, and the temptations of corruption being with-

* This phraſe has been miſunderſtood, as if it imputed to Mr. Burke a want of humanity; whereas nothing more was intended than an intimation that both his judgment and mine might be influenced by our wiſhes, on the queſtion, Whether the preſent government of France will experience a ſerious reſiſtance? On the contrary, the author has always thought that Mr. Burke's humanity dwelling on partial evils, magnified by a warm imagination, had perverted his judgment, and produced a book *entirely to the taſte of all thoſe* whoſe practical concluſions on the ſubject of government Mr. Burke has through life reſiſted.

held from their rulers, no country in the world enjoys a milder adminiſtration, or more real liberty; the ſoil is highly cultivated; and taxes, ſo ſmall as ſcarcely to be felt by the people, are found more than adequate to all the expences of Government; while the ſurplus in the public treaſury remains a ſupply for the poſſible event of war.

I am old enough to remember the confident predictions of public men reſpecting America. It was thought the loſs of the ſuperintending authority of Great Britain muſt be the ſignal of univerſal diſorder. It was ſaid the varieties in the Governments of thirteen provinces, in the religion, manners, and habits of the people, muſt engender ſuch an oppoſition of intereſt and paſſion, as will preclude all ſettlement, and compel them, from internal convulſions alone, to ſeek refuge from themſelves, under the protecting wing of Royal authority. Experience, however, has proved that civil order naturally ariſes among an enlightened people, from a ſenſe of common intereſt. Even the acrimony of religious contention was ſilenced by a ſtronger paſſion; and

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the fleet and armies of Great Britain were baffled by a nation, united to a man in one common cauſe. Juſtice, moreover, is the ſpontaneous growth of a free State. They are now proceeding to diſcharge not only the debts incurred by their conteſt with us, but even thoſe contracted under their former Governments. Perhaps France may exhibit a third example to mankind, at how ſmall a charge every object of good government may be obtained. To adminiſter juſtice, and to protect the country from foreign enemies, are objects which muſt command the unanimous concurrence of all.

Theſe things are to us at preſent the ſubjects of mere ſpeculation; but the practical concluſions which are thence drawn, may affect our neareſt and deareſt intereſts. Should Mr. Burke's judgment be correct in the deſcription which he has given of France, are there no circumſtances of ſimilarity in the ſituation of the two countries, which may afford us inſtruction? It is not an highly-wrought picture of *their calamities*, but a temperate inveſtigation of

the cauſe, which can preſerve us from ſimilar diſtreſs. The evident cauſes of deſtruction to the French Monarchy were an expenſive eſtabliſhment, and heavy public debts, which rendered the Government oppreſſive, and conſequently odious to the great body of the people. How ſtands our own? France contains, at the loweſt eſtimation, twenty-five millions of people; their taxes, at their higheſt receipt, little exceeded twenty-three millions ſterling.—Our people were never computed at more than nine millions; our taxes (beſides local burdens to the poor, &c.) exceed fifteen millions ſterling. The annual payments to the public creditors in France were eight millions—our payments exceed nine millions. Our debts and taxes, therefore, are double to thoſe in France, which brought on the preſent convulſions. Their debts are, moreover, a conſiderable proportion * of life annuities, which time will diſcharge. Our debts, with very trifling exceptions, require the payment of the capital, in addition to the annual income,

* Exceeding, I believe, one third of the whole.

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A lapſe of thirty-four years, from the war commencing in 1756, one half only of the ordinary period of human life, has ſufficed to contract the greater part of this enormous burden, and the cauſes of public profuſion continue to operate with accumulated weight. We not only pay nine millions annually for the intereſt of paſt follies, but every new folly is nearly a double charge. Every individual feels the effect of taxes in his own expenditure; and the State equally feels this neceſſary increaſe of expenditure in every ſhip ſhe builds, in every ſoldier or ſailor ſhe feeds or clothes, while the oppreſſive weight of taxes on the commerce and induſtry of the country eradicates the means of future ſupply.

From what cauſe are theſe evils derived? —Evidently from the defective conſtitution of that aſſembly who are entruſted with the public purſe. And theſe defects I mean to touch, at the hazard of being abuſed as an "economiſt," or even the imputation "of a cold heart, and muddy underſtanding." It would, however, be unjuſt not to beſtow a few pages on the examination

examination of thoſe doctrines, by which Mr. Burke would inculcate a patient ſubmiſſion to all our preſent and future burdens, with a devout reverence for the conſecration of paſt errors, by this new high prieſt of ancient prejudice.

Mr. Burke takes as his text this dangerous and damnable poſition of Dr. Price, that His Majeſty "is almoſt the *only* lawful King in the world, becauſe the *only* one who owes his crown to the *choice of his people*;" and he gravely adviſes the King of Pruſſia and other abſolute Monarchs, not to admit into their territories theſe apoſtolic miſſionaries of freedom. On this point, his mind may reſt ſatisfied that thoſe *legitimate* monarchs, who preach their doctrines "by regiments of dragoons and corps of infantry and artillery," to the edification of *obedient* ſubjects, have arguments more convincing than his logic. Not preſſed by ſo cogent an argument for diſcreet ſilence, I ſhall venture to repeat a doctrine taught by Locke and Sidney, that a *legitimate* Government *can have no other foundation than the conſent*

ſent of the people, and I affirm that his preſent Majeſty, *in fact*, as well as principle, owes his crown to the *choice of his people*. I feel as ſtrong an intereſt in the Britiſh conſtitution as Mr. Burke; but I never can admit that this intereſt ſhould reſt on ſo baſeleſs a ſupport as prejudice, conceived in ignorance and error. *Prejudice* in this country produced two rebellions for the glorious purpoſe of annihilating the religion and liberties of the nation. I do not wiſh the attempt to be repeated. In France, from one extremity to the other, the glory of the Grand Monarque was the paſſion of the people—their religion—their idolatry. The viſion is paſt, and the nation now as paſſionately deſtroy every veſtige of that deſpotiſm which their own folly had created. No juſt reaſoner on the Britiſh conſtitution will conſent that the meaneſt prerogative of our Monarch ſhould ſtand on ſo inſecure a foundation as *prejudice*, which, at beſt, is caprice and the faſhion of a day. The *reaſon* of the people ſhould be convinced that *their intereſts are beſt ſecured* by a firm adherence to the *principles*

ciples of our Government, and a temperate reformation of its abuſes.

No man affirming that his preſent Majeſty owed his crown to the choice of his people, ever was underſtood to mean that King George the Third was actually elected, or that the people had made the monarchy elective. The contrary is a known hiſtorical fact. But if the people had no right to chuſe, he can have no title, becauſe others ſtood before him in the regular courſe of hereditary ſucceſſion. It is true that the Revolution was effected in England by an union of Whigs and Tories. It is true, that the great Stateſmen of thoſe days wiſely temporiſed, and kept back the juſt principles of Government, in deference to the abſurd *prejudices* of their allies the Tories. It is equally true, that all the acts paſſed on this ſubject are drawn with a manifeſt intention to hide from public view the true nature of the tranſaction; becauſe thoſe great Stateſmen certainly never wiſhed to provoke thoſe rebellions of *prejudice* againſt the religion and liberties of the country, which, nevertheleſs, all their

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care was unable to prevent. When King James fled, and the Prince of Orange reached London, who inveſted him with the *regal power* of convening a Parliament? On the requeſt of thoſe Peers who firſt aſſembled, the Prince refuſed to act. There was no Parliament exiſting; and the Members who had ſat in Parliament during the reign of Charles the Second, before the ſubverſion of charters, together with a portion of the Common Council of the city of London, were deemed the beſt repreſentative of the Nation.—This was the ſource and origin of all the power under which the ſubſequent ſettlement was made.——Neither King nor Parliament antecedently exiſted. If the whole authority was not derived from a repreſentative of the People, acknowledged by no exiſting law, King William was an uſurper, and we are now rebels againſt our lawful Sovereign. King James was gone, and had taken with him an infant ſon. By the law of England, a King could do no wrong—his Miniſters were reſponſible. Upon no principle of law or juſtice could his infant ſon forfeit

his ſucceſſion; yet both father and ſon were cut off for ever. The two daughters, Mary and Anne, were poſtponed, and the Prince of Orange called to the ſole exerciſe of the kingly power during his life. There is a levity in the terms, "caſhiering "Governors for miſconduct," which does not pleaſe me; yet, unqueſtionably, the doctrine is true. Upon what principle could this tranſaction paſs, unleſs the People had a right to reſume the power of their King, and *elect* a perſon to that office better qualified to execute the truſt? Mr. Burke lays ſtreſs on the terms of the ſubſequent act of ſettlement, which *declares* the Princeſs Sophia and Electreſs Dowager of Hanover to be next in ſucceſſion. It is, however, perfectly notorious, that, as the law ſtood, before that act, ſhe could not have legally ſucceeded to the throne; and however diſguiſed, in tenderneſs to *prejudice*, this was as evidently a choice as the former, and his preſent Majeſty owes his crown to the choice of the People.

I am not pleaſed with the language of Dr. Price, though his doctrine has my firm-

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eſt aſſent. I affirm that all government is a truſt, for the execution of which King, Lords, and Commons, are reſponſible to the People. If the powers of Government be *Property*, and in that ſenſe *inheritance*, our laws are pregnant with robbery and injuſtice.—If a vote for a Member of Parliament be property, why may not the voter ſell it, or why is a corrupt exerciſe of any one branch of Executive Government an High Crime and Miſdemeanor? Why does even a neglect of duty ſubject a Magiſtrate to puniſhment? How iniquitous would be thoſe laws which deprive numerous claſſes of placemen of the right of ſitting in Parliament, or even voting in elections, if all the powers of government were not a *truſt* held by the individuals, not for their own benefit, but for that of the Public! In the individuals they are a *truſt*; they are the *property* of the Community at large.

"The exploded fanatics of Slavery," as Mr. Burke ſtyles them, though they contended that Kings held their Crowns by divine, hereditary, indefeazable right,

never maintained that theſe Kings held their power as property for their own benefit, but as a truſt committed to them by the will of Heaven, for the due execution of which they were reſponſible—not to man but to God.—I profeſs I ſhould be glad to underſtand Mr. Burke's diſtinction. If the people have no right to determine under what circumſtances the power ſhall be reſumed, I cannot comprehend to whom Rulers are reſponſible — except to God. — Or how Mr. Burke's doctrine differs from that of the old exploded fanatics of Slavery. Mr. Burke's notion of right is bottomed, as he tells us, on ſolid Principles of Law and Policy; but he has not condeſcended to explain thoſe Principles.—He has indeed hinted at a ſort of irrevocable compact. I preſume he will not inſiſt much on this compact between a Deſpot and his ſubjects — this were ſomething like a compact between a wolfe and ſheep, the latter conſenting to be devoured.—The Emperor of Morocco, the Grand Seignior, or even our good ally the King of Pruſſia, will ſcarcely eſtabliſh his claim to deſpotic ſway on any compact with his ſubjects. Theſe,

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and indeed moſt of the Governments which exiſt, have their real foundation in force, which a greater force may as juſtly ſubvert. Mr. Burke does not, indeed, condemn the inhabitants of France in demanding a free Conſtitution, it is the exceſs of their zeal that he ſo indignantly reprobates. But the violation of a compact can never depend on the *degree* in which men depart from the terms to which they have once aſſented. The obſervance is a demand of juſtice which admits of no refinements. In truth, the nature of the ſubject is incapable of an irrevocable compact. The varying condition of man requires in every ſociety a legiſlative authority; and it is an admitted Principle, that no legiſlative authority can preſcribe a rule of conduct which the ſame authority may not afterwards annul.—Where this power reſides in a ſingle Perſon, the abſurdity of an irrevocable contract is ſelf evident, It were a compact, the terms of which one party may *vary at pleaſure*, and in which the other is ſuppoſed to conſign himſelf and his poſterity, for whom he has no power to contract, to the varying will or caprice of a maſter, to the moſt abject ſlavery.

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Nor is the abſurdity much leſs where the legiſlative authority is veſted in many, for as their ſhame and dread of Puniſhment are leſs, ſo their power is commonly greater. The truth ſeems to be what Mr. Locke has taught. All Men are by nature equal.—No authority can be exerciſed over them, unleſs to exact that juſtice which independent communities yet in a ſtate of nature may require from each other. The aggregate of theſe rights the community delegate to their Rulers, and farther the *juſt powers* of Government can never extend. —— This delegation of undefined power never can ſubſiſt longer than the community at large conſent, unleſs the delegate can rightfully aſſume the character of maſter, and mankind can renounce the moral obligation to employ the beſt means in their power of advancing the general happineſs. I therefore conclude that the People have the *right*, as unqueſtionably they poſſeſs the *power*, of changing their Government, whenever in their judgment the purpoſes of its conſtitution can be better attained. In the practical exerciſe of this right, "that firſt of human virtues, prudence," undoubtedly

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requires that they ſhould weigh well the inevitable evils attendant on all change, and the hazard of not obtaining their object, before they engage in ſo perilous an adventure.

The whole fallacy of Mr. Burke's reaſoning conſiſts in confounding the right of the people with its abuſe. In the exerciſe even of the *cleareſt rights of property*, man, as a *moral agent*, is bound by *moral obligations*. The ſacrifice which under this ſanction he makes of perſonal enjoyment to the *duties* of a father, of a huſband, or a maſter, does not impeach his *dominion* over his own *property*; in the ſame manner as the *moral* reſtraint from waging unjuſt wars by no means derogates from the rights of a ſovereign ſtate. In this ſenſe neither the people, nor thoſe to whom they have delegated the ſovereign power, can have an unqualified right to follow the dictates of caprice; becauſe all men in all ſtations are *moral agents* accountable for their conduct to the Great Author of nature, and are equally bound to make the *public happineſs* the rule of their conduct. Yet if the

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ſovereign power be not placed above all *human reſtraint*, the people muſt poſſeſs the ultimate right of judging, under what circumſtances the conſtitution of the State ſhall be corrected or varied, or even totally changed. In the *exerciſe* of this right the people are doubtleſs under the reſtraint of *moral obligation*, and lightly to overthrow a Government would be found in practice as dangerous to *their intereſts* as inconſiſtent with their *duty*. The prevalence however of deſpotic power, even in enlightened Europe, evinces, that this evil is not greatly to be feared. In the mean time it is of the laſt importance that the people ſhould not be blindly led by *antient prejudices*, but by an *enlightened love of their country, and a knowledge of their true intereſt*.

My reaſoning has not the remoteſt tendency to render Government inſecure. When power is greatly abuſed, the People will reſiſt: but juſt theories teach both Prince and People the limits of their duty. Princes are taught to conſider a benevolent attention to the rights of the ſubject as the beſt

beſt ſecurity to their throne; and the People are taught to regard the juſt prerogatives of the Crown not as a portion taken from their liberties, but as a truſt held for their benefit. No idea of a ſeparate intereſt intervenes to diſturb their union. Both King and ſubjects regard each other as members of one community, each in his ſeveral ſtation advancing the intereſts of all; and the Throne is thus eſtabliſhed in the ſteady, becauſe rational, affection of an enlightened People.

Our Conſtitution is admirably adapted to this end. The King poſſeſſes no one prerogative which, upon my principles, ought not to be given, if it were not already poſſeſſed—not one which, transferred to different hands, would not diſturb the harmony of the other parts of our Government. The People, doubtleſs, might have erected an elective monarchy; but they have acted far more wiſely—they have veſted the whole executive power in the Monarch, and tranſmitted this power by hereditary ſucceſſion, that every part of it may for ever be placed beyond the graſp

of ambitious ſubjects. As the excluſive appointment to all the offices of executive government is veſted in the King, ſo the powers of control, to prevent an abuſe of this truſt, are *excluſively* veſted in Parliament. Whenever theſe powers are directly or indirectly united, all control is gone. It is, therefore, the manifeſt intereſt of the People to preſerve the whole executive authority of the State *excluſively* in the hands of the King; and it is equally their intereſt that this authority ſhall paſs from father to ſon without the form of an election, which may afford opportunity to the intrigues of ambitious ſtateſmen to plunder the juſt prerogatives of the Crown.

Two events have occurred within a very few years to illuſtrate this reaſoning, and to ſhew, by example, whether Mr. Burke's principles or mine are beſt adapted to preſerve, in every event, our Government entire. In 1784 two parties, without any common opinion of public duty, united, and by a manifeſt perverſion of the truſts committed to the Houſe of Commons, endeavoured

deavoured indirectly to name the Miniſters of the Crown, and conſequently to engroſs the whole executive authority of the State. Upon Mr. Burke's principles of governing by an union of great families, and leading the People by prejudices and habitual attachments, all this was right. In my judgment the meaſure was a ſubverſion of the Conſtitution; and as an humble individual I then maintained that it was the duty of the King to diſſolve * the Parliament, and the intereſt of the People to repreſs the attempt.

The other inſtance I allude to was yet more indefenſible, becauſe it was carried into more deſperate effect, and by perſons who, on the former ſtruggle, had maintained principles which ought to have prevented the attempt.

* Vide two tracts publiſhed by the author, one before, the other after the diſſolution of Parliament, entitled A candid Inveſtigation of the preſent prevailing Topic, and The Claim of the Houſe of Commons to a Negative on the Appointment of the Miniſters of the Crown examined and confuted, where the ſubject is explained more at large.

The reader will anticipate me in recalling the mockery of legiſlation by the Great Seal on the occaſion of the propoſed Regency. Every public principle, on which an hereditary tranſmiſſion of the executive authority can be ſupported, applied with equal force to the caſe of the Regent, the Prince of Wales being of full age: but the party poſſeſſed of the government did not chuſe to quit it until they had rendered the exerciſe of this authority impracticable in the hands of their adverſaries. To the friends of a wild democracy the Miniſter preſented the ſpecious appearance of a choice in the People through their nominal repreſentatives, whoſe reſolutions he himſelf preſcribed. To the Tories he preſented Mr. Burke's favourite *prejudice* of an *hereditary property* in the Crown, and was diſpoſed to lock up the jewel until the individual ſhould be again able to wear it. The public rights of the community are the *property* of the *People alone*—every power of Government is a *truſt* delegated by the People, and its extent preſcribed by the terms of delegation: but it was totally forgotten on this occaſion that the kingly office, like every other

other office of the State, was a truſt created for the *ſole benefit of the People*, and that ſtanding the Government, the two Houſes of Parliament had no claim to the legiſlative authority. The prejudices of the People were here again cheated (for prejudice is an egregious dupe) by the nonſenſical ceremony of affixing the Great Seal to the reſolutions of the two Houſes, as if the metal of this ſame Great Seal had ſome magical power of imparting the Royal conſent. By this ſtrange compound of Whig and Tory *prejudices* the kingly office was ſtripped of its prerogatives, a Court influence erected in oppoſition to the acting executive magiſtrate, and the nomination of Miniſters thus made the ſubject of a vile ſcramble of parties in the Houſe of Commons; for it is impoſſible to believe that this arrangement had any other object. If the prerogatives were fit to *exiſt*, the People had a right to their *exerciſe*; if they were *uſeleſs*, they ought to be *aboliſhed* *.

* Vide a tract by the author, entitled Thoughts on the preſent Proceedings of the Houſe of Commons.

No man will deem theſe principles injurious to Royal authority.—Of the peerage I have little to ſay — I cannot, with Mr. Burke, think the "light of Europe" would be extinguiſhed by their fall; nor, with the late Lord Chatham, am I inclined to denominate their Houſe of Parliament an hoſpital of incurables, though it were difficult to deny that eſſential ſervice to the State or ſupereminent public virtue are not always the prevailing claim to this diſtinguiſhed honour. The Houſe of Peers, however, are not the natural guardians of the People's rights—they are a body whoſe intereſt and prejudices incline them to the Crown — they are an uſeful check to the poſſible exceſſes of a democratic ſpirit in the Commons.

The Houſe of Commons is the part of our Conſtitution where the direct influence of the People ought to prevail. Here the defences of public liberty have given way; and unleſs theſe be ſpeedily repaired, an inundation of corruption and of debts threatens the State with ruin. No error is more groſs than to ſuppoſe we poſſeſs the

ſame repreſentation of the People which our anceſtors enjoyed. Repreſentation of the People exiſts when the body choſen *act* under impreſſion of the *ſame intereſt* with the whole community. This object may be obtained either by ſimply removing all temptation of a *ſeparate private* intereſt from the *individuals elected*, or by ſo uniting the repreſentatives with the great body of the People, by equal free elections, frequently repeated, that no opportunity may offer of ſeducing them from their public duty. In this country the latter method has never been even attempted. About one fourth of the Members of our Houſe of Commons are choſen by counties and great cities — the remainder are either returned by rotten boroughs, or nominated by individuals.

Soon after the Revolution, when a ſtanding force of ſeven thouſand men was regarded as an army dangerous to the liberties of the country, when the King had few offices to beſtow, five hundred gentlemen, however aſſembled, formed a tolerable

table repreſentation of the People, becauſe in the abſence of temptation they acted under the impreſſion of one common intereſt. We have ſince acquired the Eaſt and Weſt Indies, with all the train of appointments—Vaſt naval and military eſtabliſhments are now maintained in time of peace —The management of a revenue has devolved on the Crown, for the payment of the public creditor alone, equal to the higheſt expenditure of Queen Anne's wars —Our peace eſtabliſhment, with the civil liſt, exceeds ſix millions. — Above all, a monied intereſt has ariſen which feeds on the vitals of the State, ſupplies the profuſion of Miniſters, enables them to anticipate the future reſources of the country, to mortgage the labours of all poſterity, and to ſquander the inheritance of ages.

For a time, this corroding corruption ſilently undermined the public ſecurity: at length influence was reduced to a ſyſtem —and what has been the effect?—In the ſhort period of thirty-four years, the enormous addition of one hundred and ſeventy millions

millions to our public debt. Any reaſon, or no reaſon, ſuffices for a vote or a loan. To conquer America in Germany—to hold the ſame America in ſubjection by an army, and thereby to annihilate the liberties of Great Britain—to ſupport a Pruſſian deſpot in oppreſſing a free people—or to adjuſt a claim to the catſkins of Nootka Sound—are alike cogent motives for war. The Miniſter comes down, opens his budget, and propoſes his taxes. Leſs reſiſtance is made than by the Parliaments of France, under their moſt deſpotic Monarchs. The abuſe has become ſo faſhionable in the Houſe of Commons, that a man would incur the charge of innovation, and be reproached as the author of a dangerous hereſy, who ſhould venture to ſuggeſt that mankind were formed by their Creator for any better purpoſe than to pay taxes to the State. Every principle of equal juſtice has been ſubverted to increaſe the revenue, and that odious deteſtable ſyſtem of exciſe, which renders every man whom it touches a ſlave to the ruling Power, has been extended beyond all bounds. If Dr. Price affirmed that repreſentation, partially cho-

ſen, and under corrupt influence, becomes a nuiſance to the People, Mr. Necker juſtifies the charge. He declares that the laſt impoſition on windows was ſuch as the Miniſter of no other Sovereign would have dared to propoſe; —a tax ſo exceſſive on the common bounties of Nature, light and air, that it has deformed half the houſes in the kingdom, and compelled the people to dwell in damp and darkneſs.

The evil has grown to ſuch ſtrength, that as our Houſe of Commons is conſtituted, the moſt upright Miniſter can have no choice. Of the Members for Counties, ſome are influenced by their old Tory prejudices, and fancy while they plunder the People, they ſupport the Throne. Thoſe nominated by individuals, adhere blindly to that party which their patrons have embraced. The remainder, for the moſt part, purchaſe their ſeats—lay out their money as an adventure, and, in the true ſpirit of commercial enterprize, expect a profitable return. Theſe men, ſoldiers, ſailors, lawyers, and traders by profeſſion, conſtitute the majority. In ſuch an aſſembly, the

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private intereſt of individuals muſt ſilence that national intereſt which ought ever to dictate the reſolutions of the Houſe. To me it ſeems that the vital principle of every free Government—the juſt weight of the People, is extinct in Legiſlation; and that nothing could have preſerved the ſpirit of liberty in the country, had not this vital principle yet ſubſiſted in the adminiſtration of juſtice. So contagious, however, is the ſpirit which pervades a Government, that even this ſtrong hold of public freedom, the trial by jury, has been groſſly violated. Doctrines have been maintained from the Bench, by which this inſtitution, the ſacred guardian of all our rights, was annulled, and a new Court of Star Chamber erected to puniſh the moſt undefined and undefinable of all crimes—a libel; for I defy human ingenuity to explain what power of the aboliſhed Star Chamber is wanting to our modern Court of King's Bench, if the verdict of a jury does not intervene, to pronounce on the guilt or innocence of the perſon accuſed, before he be delivered over to puniſhment, by diſcretionary fine and impriſonment. If the

bare fact of publication, and plain import of the words be the ſole ſubject of a jury's inquiry, the diſtinction is nominal.

The ſpirit of this admirable inſtitution requires that a jury taken from the great body of the People, and returning again to the common maſs, ſhall pronounce on the whole charge, becauſe they will remember that the meaſure which they mete to their neighbour may be returned into their own boſom. To provide, however, the moſt correct adminiſtration of juſtice will be of little avail, unleſs a watchful jealouſy ſhall be employed to withſtand the encroachments of power, to repair thoſe breaches which the moſt perfect ſyſtem of Government, like all other human inſtitutions, muſt ſuſtain—above all, to guard the public property, and ſtrictly to meaſure its applications by the neceſſities of the State. Theſe in our conſtitution are the moſt important duties of the Houſe of Commons. How far nominal repreſentatives will diſcharge theſe duties, let experience and common ſenſe decide.

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The late Lord Chatham foretold that our rotten boroughs could not outlive this century, and ſhort as the period now is, preſent appearances ſtrongly indicate the completion of his prophecy. The cauſe which has convulſed the kingdom of France, exiſts with us in a twofold degree. Should the People not be tempted to inquire on what principle truſtees for ſeven years have ſold the inheritance—ſhould they not reflect that as the bulk of revenue muſt be drawn from the daily labour of the multitude, to ſweat and toil for others without reward, is not the characteriſtic diſtinction of freedom—or ſhould not the preſſure of their neceſſities operate independent of reaſon; the modern ſyſtem of revenue carries internally the ſeeds of its own deſtruction. When the ſyſtem of borrowing firſt commenced, the taxation being light and impoſed on ſubjects of univerſal conſumption, was little felt by the People, while the funds created were a ſtock always ready at command, which circulated paper to three times the amount, and operating as money, gave life and vigour to manufactures. The effect was, that

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theſe taxes gradually increaſed to nearly three times the amount with the growing proſperity of the State. The natural objects of taxation have been long ſince engroſſed, the induſtry of the country is oppreſſed with accumulated burthens, and the reverſe of the former effect approaches with haſty ſtrides *. The taxes which have been given for the laſt 1,500,000l. of revenue have not yielded 900,000l., and have nevertheleſs decreaſed the product of the former taxes, while the numbers † of our people decline. Yet the cauſes of public profuſion continue to operate with increaſing force. Reformation in the ſource of this evil, a perverted nominal repreſentation, will be forced upon us by inevitable neceſſity. It cannot long be delayed.

* This view of the effects of taxation has been borrowed from converſation with a gentleman who means to oblige the public with the detailed proofs. In his view of the ſubject, the effects of taxation are no longer ſpeculation but hiſtory.

† By the returns to the Tax Office it appears that although the houſes in London and its neighbourhood have increaſed 7000, the number of houſes throughout the whole Kingdom have decreaſed 6000, and the cottages above 19,000, within a very few years.

Theſe

These are the reflections which the convulsions of a neighbouring kingdom have suggested to my mind, and which Mr. Burke's pamphlet has provoked me to commit to the Press. If in combating his opinions I have advanced positions on the general subject of government which others may condemn, I have no wish to skreen my own errors from detection.—All investigation promotes the cause of truth.—The terrors of Mr. Burke's eloquence will not prevent me avowing the sincere conviction of my mind.—I therefore beg leave to repeat, that all *legitimate* Government must for ever rest on the *willing obedience* of the great body of the People, and that when force is employed against them under any form of Constitution, the People have not only *a perfect right*, but it becomes *their duty* to resist.—That all power exercised by a part is a *trust* derived from the *whole community*, created solely for *their benefit*, and which can be held by no other tenure than by *their consent*. That, to secure the willing obedience of the People, the duties which we all owe to our Country are, to extirpate *every prejudice* from their minds, to convince their

their reaſon, to explain the *principles* of our Conſtitution, and thus, with their concurrence, reforming its abuſes, endeavour to render it in practice, as in theory, the moſt perfect ſyſtem of Government which ever appeared in the hiſtory of Mankind.

FINIS.

POSTSCRIPT.

HAVING ſubmitted my thoughts to the judgment of the Public, nothing would have induced me to reſume the pen but an anxiety to diſclaim a ſentiment which the Author of a Vindication of Mr. Burke's Reflections has ſuppoſed my language to convey — a ſentiment which my heart abhors. Mr. Burke, in a part of his Reflections to which I cannot immediately turn, after ſeverely reprobating every part of the exiſting Government in France, denounces their overthrow, and concludes there muſt be blood.

In obſerving on this denunciation, the paſſage of our great Poet occurred, where the Prince of Wales is reproved by his father for removing the Crown upon a too haſty preſumption of the King's death — "Harry, thy wiſh was father to that

" thought." I inſtantly applied the expreſſion to Mr. Burke's too haſty deciſion on the political death of the National Aſſembly. While writing, it was obvious that my mind might poſſibly, unknown to myſelf, be equally prejudiced: I therefore was unwilling to be too confident on which ſide the error lay—" I will " not ſay, Edmund, thy wiſh was father " to that thought — perhaps my wiſhes " may be an ingredient in the judgment I " form." Now to what oppoſite wiſhes does this paſſage evidently allude? To thoſe which every page we had reſpectively written evinced, and which were preſent to my mind. — Mr. Burke had deſcribed the preſent powers in France as a moſt deteſtable tyranny, incapable of attaining any one object of juſt government —a Commonwealth that, " in the preſent " form, can hardly remain; but before " its ſettlement may be obliged to paſs " through great varieties of untried being, " and in all tranſmigrations be purified by " fire and blood *." Mr. Burke ſincerely

* Reflections, p. 355.

believing

believing the truth of the picture his imagination had drawn, muſt, as an honeſt man, eagerly wiſh the deſtruction of this Government — if a citizen of France, he muſt have endeavoured its overthrow even at a conſiderable expence of blood — *Juſta bella quibus neceſſaria* — and a more cogent neceſſity than to emancipate a country from an odious and contemptible oppreſſion, by the vileſt of its members, imagination cannot conceive. A predilection for blood is an idea ſo horrid, that it never occurred to my mind. " Such an unforced choice, " ſuch a fond election of evil, would have " appeared perfectly unaccountable," and never, I believe, exiſted in any human breaſt. — Mr. Burke is certainly the laſt man on whom ſuch an imputation could have been juſtly thrown. The exceſs of his ſenſibility has always appeared to me the ſource of his errors; and many gentlemen can atteſt, that, before I wrote a line, the deviation, as I conceived it to be, from his former tenets, in his late celebrated publication, had been accounted for by me upon this principle.

On the other hand, in contemplating the ſame ſcene, my mind had been chiefly affected by the entire deſtruction of the deep-rooted tyranny of the ancient Government, and hoped better things from the new. That the probable ſtability of the new Government was the idea immediately preſent to my thoughts, is obvious from the ſentence which precedes the obnoxious paſſage*--"They have alſo erected, "for *internal defence*, a force, from num- "bers irreſiſtible, in the hands of the ſub- "ject, which proves at leaſt their confi- "dence in the attachment of the People." As alſo from the lines which immediately follow:—"I ſee the ſtrong holds of deſpo- "tiſm deſtroyed — I have *confidence* in "the powerful operation of that principle "which pervades all France — *a ſenſe of* "*common intereſt.*"

Theſe were the oppoſite wiſhes of Mr. Burke and myſelf, impreſſed on my mind at the time of writing, and to which the paſſage refers. After the publication and

* Thoughts, p. 16.

ſale

ſale of the firſt edition, a friend ſuggeſted that this phraſe had been miſconſtrued. To reſcue myſelf from reproach, (for I had no idea the miſconſtruction could wound any one but myſelf) the firſt ſuggeſtion was to correct the paſſage; but this was liable to the objection that it might imply an original intention. I determined, therefore, to retain the paſſage, and diſclaim the miſtaken interpretation, which was done in a note ſubjoined.

Scarcely a ſingle obſervation of this author is founded on a fair expoſition of my book. He aſſumes, as an aſſertion of mine, "that * the ſacrifice of the two orders of "the Nobility and the Church was abſo-"lutely neceſſary to the ſafety of the Na-"tional Aſſembly, and that of the People "they repreſent; for this reaſon, that "little ſecurity was to be expected from "men who had ſolemnly relinquiſhed all "odious claims, while much was to be "dreaded from the paſt habits of their "lives." My aſſertion, as an opinion, is,

* Vindication, p. 73.

that

that in the then exiſting ſtate of France the eſtabliſhment of ſuch a Government as that of Great Britain was abſolutely impoſſible, and I give my reaſons for thinking ſo, of which the reader will judge. In the paſſage alluded to I am examining the concluſiveneſs of Mr. Burke's reaſons for thinking theſe orders might have been preſerved, becauſe their inſtructions to their repreſentatives "in * the "moment of their own humiliation, and "of the popular fervour, breathed the "language of moderation, and did not "openly claim thoſe exemptions which "had been one great cauſe of the general "odium to which they were expoſed." I give my reaſons for thinking this a very inconcluſive argument, and, among others, I aſk, "Are we to look for the ſpirit and "temper of particular † orders in public "oſtenſible inſtruments formed under ſuch "circumſtances, or in their permanent "intereſts and the habits of their lives? "Would not theſe men feel themſelves

* Thoughts, p. 11.

† Ibid.

"degraded

" degraded by the equality claimed by " every ſubject in the State? Muſt not " many laws, galling and irritating to " theſe two orders, have paſſed before the " ſemblance of liberty could have cheered " the great body of the People?" Hence I inferred that old diviſions would have revived with increaſed animoſity, and thus accounted for the ſacrifice of theſe *two orders*, (for no individuals have been ſacrificed by the National Aſſembly) to the ſafety of that Aſſembly, and of the People they repreſent. Could any rational doubt have been entertained what " permanent " intereſts and habits of life" were here meant, a candid mind might have ſought the explanation in the preceding deſcription of what I conceived to be the political ſtate of theſe two orders: an intelligent mind might have diſcovered that " *habitual* " *ſuperiority*" is not eaſily relinquiſhed by an hereditary Nobility, who feel a claim of equality as injuſtice; and that the Romiſh Clergy would not patiently ſubmit the divine rights and " *permanent intereſts*" *of holy church* to the profane judgment of laymen.

But

But theſe orders had ſolemnly renounced all odious claims! No ſtateſman has yet thought even ſolemn treaties ſuperſede the neceſſity of fleets and armies! And what is the ſolemn renunciation here ſpoken of? General inſtructions to repreſentatives ſent to the National Aſſembly, when the minds of all men were affected by contagion of the common paſſion, *directory*, but not binding, on the vote of the delegate himſelf—not even profeſſing to be a *compact* with any other order in the State. If my error, in ſuppoſing theſe inſtructions no very ſolid ſecurity for future conduct, deſerves ſevere cenſure, the juſtice of our author will include himſelf in the reproach. The author of a Vindication muſt admit that a public declaration of future conduct in the face of all Europe, by the governing power of a State, voted for the expreſs purpoſe of conveying their ſentiments to other ſovereigns, is a much more ſolemn act, infinitely more binding on their good faith, than theſe looſe inſtructions to delegates. Yet in commenting upon Dr. Price's panegyric on the National Aſſembly for "having renounced for ever all views of

"con-

" conqueſt, and all offenſive wars," our author ſays, " Dr. Price's prophetic * ſpirit " may give him the excluſive privilege of " *diſpenſing with his reaſon*; but I, who " am a man of moderate capacity, and " little bleſſed with the glowing influence " of pulpit inſpiration, muſt content my- " ſelf with *humble probability* when *certainty* " cannot be acquired. When I cannot " *prove a thing poſitively*, I ſhall endea- " vour to elucidate it by analogy." He then gives many reaſons for thinking we have little ſecurity for the performance of this promiſe. Yet this is an engagement founded in reaſon, enforced by moral duty, and perfectly conſonant to the plain intereſt of the nation they repreſent. But civil contention always engenders more rancorous animoſity than the rivalry of nations; and whatever general declarations bodies of men may make, in the *arrangement of particulars* many cauſes of diſſention will ariſe until human nature ſhall become much more perfect than we have yet ſeen it in hiſtory. I therefore concluded that the halcyon days of univerſal concord in

* Vindication, p. 42.

France were not within the graſp of the Aſſembly—that a ſecond revolt of the ſoldiery was poſſible — and from theſe premiſes deduced not the aſſertion imputed, that the ſacrifice was neceſſary, but that it was not wonderful the ſacrifice ſhould be made. My obſervations on the affairs of France had a different object than the merit or demerit of particular meaſures in conducting the Revolution, which object ſhall be explained — I in terms, however, diſclaim pronouncing on the conduct of the National Aſſembly, "for I ſee not all "its bearings and dependencies; and the "extent as well as complicated nature of "the ſubject might baffle the experience "of a much abler head *." If this be deemed "a ſtyle of conſequential humi-"lity that would beg for praiſe at the mo-"ment it is extorting contempt," I muſt call in aid an advocate, whoſe authority our author cannot poſſibly reſiſt. Mr. Burke, on an † occaſion ſomewhat ſimilar, has ſaid, "The thing ſeems a great deal

* Thoughts, p. 16.

† Mr. Burke's Speech on the 22d of March, 1775, p. 44.

"too

" too big for my ideas of juriſprudence.
" It ſhould ſeem to my way of conceiving
" ſuch matters, that there is a very wide
" difference in reaſon and policy between
" the mode of proceeding on the irregular
" conduct of ſcattered individuals, or even
" of bands of men who diſturb order
" within the State, and the civil diſſen-
" ſions which may from time to time, on
" great queſtions, agitate the ſeveral com-
" munities which compoſe a great empire.
" It looks to me to be narrow and pedantic
" to apply the ordinary ideas of criminal
" juſtice to this great public conteſt. I
" do not know the method of drawing up
" an indictment againſt a whole people. I
" cannot inſult and ridicule the feelings of
" millions of my fellow creatures as Sir
" Edward Coke inſulted one excellent in-
" dividual (Sir Walter Raleigh) at the bar.
" I am not ripe to paſs ſentence on the
" graveſt public bodies, entruſted with
" magiſtracies of great authority and dig-
" nity, and charged with the ſafety of
" their fellow citizens, upon the very ſame
" title that I am. I really think that for
" wiſe men this is not judicious ; for ſober

" men, not decent; for minds tinctured " with humanity, not mild and merciful."

I admit my opinion on ſome parts of this ſubject, the ſubverſion of the two orders, may fairly enough be inferred from my book. It certainly is my opinion that the eſtates of the Church are public property, " if this meaſure (of confiſcation) " affected only the ſucceſſion to church " benefices, and not the preſent poſſeſ- " ſors." The diſcrimination marks my judgment, that different rules muſt decide the two caſes—I have no difficulty in now avowing what thoſe rules are—Of public property the Legiſlature may diſpoſe for the *benefit* of the public on *their own ideas of utility*. Church property in poſſeſſion is *private property*, held on condition of diſcharging the functions aſſigned. In times of civil commotion this, like every other claim, muſt yield to the preſſure of *neceſſity*, not to ideas of *convenience or intereſt*. I have no doubt that the general fabric of the Church eſtabliſhment of France was adverſe to public freedom, and that to new model it was a duty incumbent on the National

tional Aſſembly. Whether the overthrow of the ancient tyranny could be accompliſhed without treſpaſſing on private rights is a queſtion which requires much local knowledge to reſolve, and which perhaps it was not indecorous for a foreigner, not perfectly informed, to leave untouched; at the ſame time it would not be *wonderful* if this opinion of neceſſity were ſomewhat haſtily adopted. When we reflect on the prodigious ſtrength acquired to the new government, by leſſening the burthens of the people, by the abolition of tythes, and above all by transferring landed property of five millions annual rent from men averſe to their deſigns, to men who claim no title but under the authority of this government; the policy of the meaſure is ſomewhat more apparent than the juſtice.

The abolition of the titles of nobility was a meaſure of a very different complection, certainly not the offspring of cowardice. It was highly irritating to a wealthy, numerous, high ſpirited, and powerful body; it was a bold defiance

to

to the prejudices of all Europe, having for its object only *remote* advantage. To me, however, I confeſs, the meaſure appears to have been the wiſe means of effectually blending the numerous nobility of France with the great body of the people, by burying in oblivion all invidious diſtinctions; and poſſibly when heats have a little ſubſided, will be found beneficial to the individuals themſelves, by enabling them more eaſily to take that lead in the National Councils which their fortune and talents may claim. Perhaps the feudal remains in every part of Europe, where honours and even offices have been for ages hereditary, may have diſqualified us for a candid diſcuſſion of the abſtract queſtion, whether honours tranſmitted by inheritance have a greater tendency to nouriſh perſonal and family pride, independent of merit, than to excite that generous emulation in the public ſervice which glorioufly diſtinguiſhed ſome nations of antiquity, and formed the brighteſt period in the hiſtory of mankind. In few ſtates, however, can this be an *abſtract* queſtion. In France theſe diſtinctions were combined with in-

vidious

vidious claims, which it was juſtly reſolved to aboliſh. In Great Britain the hereditary nobles are a diſtinct order, with diſtinct privileges, neceſſary to the form of our Government.

The author ſuppoſes me to entertain great hopes from the novelty of the French Government, which "comes not recommended by the experience of any nation in ancient or modern times;" whereas this obſevration is expreſſly ſtated by me as a reaſon for "looking forward with *anxiety* to the effect of thoſe new eſtabliſhments which do not come *recommended by the experience of other nations* in ancient or modern times." In another place I ſtate the leading defects which, as a theoriſt, ſtrike my mind, "that the executive is too much blended with the legiſlative authority;" but add, my theory is ſilenced by the examples of Switzerland and America; and after obſerving upon theſe examples, conclude, "that perhaps France may exhibit a third example to mankind, and at how ſmall a charge

" every object of good government may " be obtained. To adminiſter juſtice and " to protect the country from foreign ene- " mies muſt command the unanimous " concurrence of all." This with equal candour is repreſented by our author as a diſtinct and independent propoſition, for the purpoſe of imputing motives of which my ſituation in life repels the ſuſpicion — whereas my motives are avowed. " As a " man I rejoice that the fetters of deſpo- " tiſm are broken—and viewing the for- " mation of a new government as the " nobleſt ſcene in which the talents and " virtues of men can act, I feel a ſtrong " intereſt in the ſucceſs of their exer- " tions, and look forward with *anxiety* to " the effect of thoſe new eſtabliſhments, " which," I admit, " do not come *re-* " *commended* by the experience of *other na-* " *tions* in ancient or modern times." Can words more explicitly convey an opinion that the *experience of other nations* would have been a *recommendation* the direct re- verſe of the ſentiment imputed to me?

This

This gentleman * aſſerts, ſays the author of a Vindication, " That Mr. Burke's doc-
" trine reſts on the baſeleſs ſupport of pre-
" judice conceived in ignorance and er-
" ror;" and prejudice he defines to be " caprice and the faſhion of a day," mark-ing theſe paſſages as a literal tranſcript with inverted commas. The true text is †, " I
" feel as ſtrong an intereſt in the Britiſh
" conſtitution as Mr. Burke; but I never
" can admit that *this intereſt* ſhould *reſt*
" *on ſo baſeleſs a ſupport as prejudice con-*
" *ceived in ignorance and error.* Prejudice
" in this country produced two rebellions
" for the glorious purpoſe of annihilating
" the religion and liberties of the nation.
" I do not wiſh the attempt to be repeated.
" In France, from one extremity to the
" other, the glory of the Grand Monarque
" was the paſſion of the People—their re-
" ligion—their idolatry—The viſion is
" paſt, and the nation now as paſſionately
" deſtroy every veſtige of that deſpotiſm
" which their own folly had created. No

* Vindication, p. 76.

† Thoughts, p. 23.

" juſt reaſoner on the Britiſh conſtitution " will conſent that the meaneſt preroga- " tive of our Monarch ſhould ſtand on ſo " inſecure a foundation as *prejudice*, which, " at beſt, is caprice and the faſhion of a " day. The *reaſon* of the people ſhould " be convinced that *their intereſts are beſt* " *ſecured* by a firm adherence to the *prin-* " *ciples* of our Government, and a tempe- " rate reformation of its abuſes." How perverſe muſt be the underſtanding that could confound the prejudices here *deſcribed as operating on the conduct of whole nations* with the particular opinions of an individual! I feel too great a reſpect for the talents of Mr. Burke to be guilty of the arrogant preſumption imputed to me; and if I have abſtained from doing juſtice to his other qualities, I hope this omiſſion will be imputed to its real cauſe—an unwillingneſs to employ unfair weapons. Ill-timed compliments to an adverſary whoſe opinions I controvert, appear to me of this deſcription, as ſeeking an inſidious intereſt in the mind of the reader, who is taught to believe that every prepoſſeſſion is in favour of opinions entertained by ſo re-

ſpected

ſpected an individual; and that nothing leſs than the force of truth could extort a public diſſent.

For the principles on which I think the hereditary right of the Crown muſt reſt I refer to my book. Nothing new is advanced; and where the author profeſſes to ſtate the argument without direct quotation, he only proves that he does not comprehend the reaſoning.

I never did deny the exiſtence of an irrevocable contract, *becauſe* "no Legiſla-"ture can preſcribe a rule of contract "which the ſame authority cannot after-"wards annul;" but I aſſumed this undeniable firſt principle of Government, to prove an irrevocable contract, or any contract between Legiſlators and the People, in the ſenſe in which theſe gentlemen uſe the term, was palpable nonſenſe—It would be an engagement binding only *on one party*, which *the other might vary at pleaſure*; becauſe in the exerciſe of Legiſlation the Prince, or the Senate, or the Parliament, in whom the power might be veſted, could

preſcribe the rule of their own conduct— It would be an engagement on the part of the People to ſubmit to the unlimited *pleaſure* or *caprice* of others — a ſituation in which man, as a moral being, reſponſible to his Creator, cannot place himſelf. If by the term be meant that moral duty ariſing from the relations in which men are placed, whether this duty be in part defined by expreſs ſtipulation, as in our Government at the Revolution, or left more at large as before that event, ſuch an obligation no man denies, This obligation, however, is equally binding on governors and governed, whatſoever rank, character, or names, they may aſſume. The ſingle queſtion between us is, when a breach of this duty is alleged in the governors, to whom belongs the ultimate right of deciſion to aſcertain the fact, to judge of its extent, and to declare the conſequence? Some are idle enough to affirm, that nothing leſs than the preciſe caſe which occurred at the Revolution will warrant a change, as if the *old ſpirit* of tyranny could not aſſume *new modes*. Others think Parliament alone is competent. What if there

there be no Parliament exiſting, as happened at the Revolution of 1688? What if Parliament, by places and penſions beſtowed on individuals, become accomplices in the crime, themſelves the inſtruments of tyranny? What if inſtead of individuals buying boroughs, and thereby acquiring a power of ſelling the rights of the People in detail, the public treaſure were ſo employed, and the People were inſulted with the name of repreſentatives actually returned by the Treaſury? Or, to put a more probable caſe, ſuppoſe, by all the various modes of corruption reduced to a ſyſtem, the nominal repreſentatives of the People ſhould become ſervile inſtruments to the pleaſure of a Court, are not the Nation, for whoſe benefit all government is inſtituted, for whom all governors act in truſt, authoriſed by the eternal laws of God to provide for the public happineſs? I am aſked, perhaps, by what organ their ſenſe of this duty ſhall be declared? An unconnected multitude have great difficulties to encounter in aſſerting their rights; and this diſadvantage has enabled the few to acquire and abuſe their power. The

general

general diffuſion of knowledge every day diminiſhes this evil. Let us teach the People to underſtand the nature and true ends of Government, and the awe of their power will probably effect much good without calling their force into action. If they be greatly oppreſſed, they will reſiſt — happy if in that reſiſtance their paſſions will ſubmit to the guidance of enlightened minds!

Mr. Burke fritters away the precedent of the Revolution in 1688. He will not admit that King William was *elected*, or that after the daughters of King James, who, with his infant ſon, was unqueſtionably driven from the throne, a new line was choſen in the anceſtors of His preſent Majeſty. He in terms indeed denies the old exploded abſurdity of divine indefeaſible right. The authors of this doctrine, however, admitted the power of Kings to be a truſt for the benefit of the People—derived indeed from God—for the exerciſe of which they were not accountable to man. Mr. Burke will not allow the People to judge of the breach of this truſt.

He

He has, therefore, conceded to us a nominal deſcription of their right; for which I feel no obligation, and have no thanks to give. He concedes to us no ſubſtantial right. The truth, I think, is, that as we are all moral beings, we are all under a moral obligation to advance the public happineſs. In the ordinary courſe of human affairs this public happineſs is beſt advanced by preſerving the ſettled order of things; but when abuſes multiply, we have a call of duty which we ought ever to be ready to obey.

The author is offended with my aſſertion, "that the whole fallacy of Mr. Burke's "reaſoning conſiſts in confounding the "rights of the People with their abuſe." He quotes likewiſe a part of my argument; but he certainly does not comprehend it. He tranſcribes this paſſage—"In the exer-"ciſe even of the cleareſt rights of proper-"ty, man, as a *moral* agent, is bound by *mo-"ral obligation.* The ſacrifice which, un-"der this ſanction, he makes of perſonal "enjoyment to the duties of a father, a "huſband, or a maſter, does not im-

"peach

" peach his dominion over his own pro-
" perty;" (with great candour omitting the remainder of the ſentence, which would have rendered it impoſſible to pervert the ſenſe) " in the ſame manner as the *moral* " reſtraint from waging unjuſt wars by no " means derogates from the rights of a " ſovereign ſtate." This he conceives to be ſaying in the ſame ſentence, " that men " have the right, and have it not." A ſmall acquaintance with writers on abſtract juriſprudence would have prevented this idle comment. I will endeavour to explain the argument to his apprehenſion. The right of property conſiſts in the *right to judge* of the diſpoſition of this property without *controul from others:* yet in the exerciſe of this right, " his dominon over his " own property," man muſt be obedient to *moral duty*; and if an exemption from moral obligation were eſſential to this dominion, no civil rights could exiſt in the world. In the ſame manner, a ſovereign, while he continues in the exerciſe of ſovereignty, has a perfect right to determine in what wars it is fit to engage the ſtate — *his right to decide* this queſtion is limited only by

by the conſtitutional limitations of the ſovereignty. Yet in exerciſing his judgment he is under a *moral* obligation to abſtain from unjuſt wars. In the ſame manner the People or community at large have a *perfect right to judge* in what caſes it is conſiſtent with their duty to deprive the ſovereign, or change the government; and in the exerciſe of this right they can be ſubject to no *human controul*, becauſe a part is not greater than the whole, and becauſe all government, under all its poſſible forms, is held in *truſt for them*, and ſolely for *their benefit*. Yet the whole nation, like every individual, acts under a moral obligation to promote the common happineſs of all; and this moral obligation does not impeach or diminiſh their *right to judge of the means*.

The author of Obſervations, towards the concluſion of his book, makes a very explicit profeſſion of his political faith, the foundation of which I am not diſpoſed to controvert. He ſays*, "I am politically "attached to no *man*. *I am attached only*

* Vindication, p. 142.

" *to opinions.* I am a Foxite. I believe " Mr. Fox to be one of the *greateſt and* " *honeſteſt Miniſters that ever exiſted*; *there-* " *fore* am I a Foxite. I know and ac- " knowledge no other reaſon than this. " Mr. Pitt is certainly a very able ſtateſ- " man and a very wonderful man; I mean " him no diſparagement by ſaying that " Mr. Fox is a *more able ſtateſman* and a " leſs wonderful man." I have certainly no authority even to inſinuate any particular opinions of this great ſtateſman; but it is impoſſible to be awake in this town and not to underſtand ſomething of his general ſentiments upon all ſubjects of public controverſy. It is ſtrange that mere curioſity never induced the author of a Vindication to inquire; becauſe if the book, which he ſo indignantly reprobates, ſhould fortunately coincide, in any tolerable degree, with the ſentiments of that right honourable gentleman, ſo awkward a conjunction of praiſe and cenſure might ſomewhat impeach the diſcretion of the author, and perhaps excite a laugh at the profound judgment of the critic.

I ſhall

I ſhall conclude with a few words in explanation of the motives with which I wrote.

It was not my intention to enter minutely on the French Revolution, much leſs to hazard a premature judgment on the acts of the National Aſſembly, further than was neceſſary to reſiſt the falſe terrors which were endeavoured to be impreſſed on the public mind in this country;—To ſhew that in the much agitated queſtions concerning the church eſtabliſhment, and nobility, the relative ſituation of the people and their governors have no analogy in the two countries;—That the true point of ſimilitude was in the enormous accumulation of debt and oppreſſive weight of taxes, which Mr. Burke agrees with me in thinking naturally tend to deſtroy the Government by rendering it odious to the people. I ſtated a notorious truth, that the public debts and taxes in Great Britain, compared with the number of the people, were double to thoſe which brought on the preſent convulſions in France. I wiſhed to direct the minds of men in this country

to a ſober inveſtigation of the ſource of public profuſion — the defective conſtitution of that aſſembly who are entruſted with the public purſe. To me it appears that the cauſes of public profuſion originating in corrupt influence and imperfect repreſentation, muſt, while theſe exiſt, operate with accelerated force, and that public convulſions muſt be the inevitable event. If to avert this great evil be yet poſſible, nothing leſs can obtain for us the bleſſing than an effective repreſentation of the People, who ſhall be their faithful guardians, without an intereſt *individually* diſtinct from the *common benefit of all.* If a convulſion of public credit be inevitable, either from the impatience of the People, or from the natural effect of extreme taxation in withering the country and deſtroying its reſources; the beſt preſervative againſt confuſion muſt be a deliberative national wiſdom aſſembled in Parliament, to which the people can look up with confidence, in the place of an aſſembly whoſe defects may be regarded as the ſource of all their calamities.

Should

Should the exertions of the friends of parliamentary reform be found inadequate to ſurmount the intereſted defence of abuſe, the next object ought to be to inſtil into the minds of the people a knowledge of the *true ends and nature* of all Government, and particularly to diſtinguiſh the *juſt principles* of our own conſtitution, that they may be taught to preſerve its ſubſtance, and eradicate only its growing defects. Theſe have been my endeavours, however imperfectly executed. In the attainment of theſe objects I have no peculiar perſonal intereſt diſtinct from the common intereſt of all who wiſh to prevent confuſion. We may differ in the means.

THE END.

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